

S.R. 321 - By Clower: Extending welcome to Lisa Marie Mearon.

S.R. 322 - By Clower: Extending welcome to Curtis James Henry, Jr.

S.R. 323 - By Short: Extending congratulations to Slaton High School Girls' Basketball Team.

ADJOURNMENT

On motion of Senator Moore the Senate at 3:13 o'clock p.m. adjourned until 10:30 o'clock a.m. Monday, March 26, 1979.

APPENDIX

Signed by Governor

(March 22, 1979)

H.B. 272	Effective August 27, 1979
H.B. 346	Effective immediately
H.B. 648	Effective August 27, 1979
H.C.R. 124	
H.C.R. 125	

FORTY-SECOND DAY (Monday, March 26, 1979)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Absent-excused: Braecklein.

A quorum was announced present.

The Reverend E. L. Roberts, Mt. Pilgrim Baptist Church, Austin, offered the invocation as follows:

A Prayer for Rulers

Eternal Father, Thou art the King Supreme. Thy dominion is an everlasting dominion, and Thy Kingdom is from generation to generation. We pray for those who rule by Thy grace. We pray for Kings, Presidents, for law makers, for law

interpreters, for all that are in high places that we may lead a tranquil and quiet life in all Godliness and gravity, knowing that in their hands the destiny of the nations is held. We pray that they may look to Thee for guidance and bow before Thee as the Supreme Ruler of this Universe. Grant that they may be lovers of peace and mercy and that the scepter of righteousness may be the scepter of their Kingdom. Help us, dear Father, to be obedient citizens, giving unto our rulers the honor and encouragement that is due. According to Thy promise and in harmony with Thy word, we beseech Thee to hasten the day when the Kingdom of the world shall become the Kingdom of our Lord and of our Christ, and He shall reign for ever and ever.

In the name of our Lord and God we pray, Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 22, 1979, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Braecklein was granted leave of absence for today on account of illness on motion of Senator Mauzy.

REPORT OF STANDING COMMITTEE

Senator Creighton submitted the following report for the Committee on Economic Development:

C.S.S.B. 169 (Read first time)

C.S.S.B. 293 (Read first time)

S.B. 82

S.B. 982 (Amended)

S.J.R. 35 (Amended)

S.B. 478 (Amended)

SENATE BILL 994 RECOMMITTED

On motion of Senator Moore and by unanimous consent, **S.B. 994** was recommitted to the Committee on State Affairs.

SENATE BILL 995 RECOMMITTED

On motion of Senator Moore and by unanimous consent, **S.B. 995** was recommitted to the Committee on State Affairs.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Truan and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1187 by Harris

State Affairs

Relating to the officer with whom are filed applications for a place on the primary ballot for nomination to a district office.

S.B. 1189 by Harris

State Affairs

Relating to the meeting of the primary committee.

S.B. 1190 by Harris State Affairs
Relating to the time for canvassing primary election returns by the state executive committee.

S.B. 1191 by Harris State Affairs
Relating to the method of transmission of primary election results to the state executive committee.

S.B. 1192 by Harris State Affairs
Relating to the time for distribution of certain primary election filing fees to county chairmen.

S.B. 1193 by Patman Education
Relating to employment in public schools after retirement from the teacher retirement system.

S.B. 1194 by Truan Jurisprudence
Relating to exemptions from jury service.

S.C.R. 58 by Andujar Administration
Directing the University of Texas Institute of Texas Cultures at San Antonio, in coordination with the State Board of Control, to place commemorative plaques for permanent display in Bicentennial Park, Austin.

S.R. 315 by Jones of Harris Administration
Expressing support for the merger between Pan American World Airways, Inc., and National Airlines, Inc.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 616, To Committee on Economic Development.

SENATE CONCURRENT RESOLUTION 59

Senator Jones of Harris offered the following resolution:

BE IT RESOLVED by the Senate of the 66th Legislature, the House of Representatives concurring, That in compliance with Article III, Section 17, of the Constitution of the State of Texas and in observance of Easter, either House is hereby granted permission to adjourn from Wednesday, April 11 through Monday, April 16, 1979.

The resolution was read.

On motion of Senator Jones of Harris and by unanimous consent, the resolution was considered immediately and was adopted.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
March 26, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE A MEMBER OF THE FLEET ADMIRAL CHESTER W. NIMITZ
MEMORIAL NAVAL MUSEUM COMMISSION:

For a six-year term to expire January 31, 1985:

ADMIRAL DALLAS JORDAN (Retd) of Dallas, Dallas County, is replacing Mrs. Cary Isenberg of Dallas, Dallas County, whose term expired.

Respectfully submitted,

/s/W. P. Clements, Jr.
Governor of Texas

SENATE RESOLUTION 332

Senator Truan offered the following resolution:

WHEREAS, The Senate of the 66th Legislature grants a special significance to March 26; on this day in 1927 was born the notable Senator from Ganado, William N. (Bill) Patman; and

WHEREAS, Senator Patman, son of the late Congressman and Mrs. Wright Patman, grew up in Texarkana and Washington, D.C.; he graduated from Kemper Military School and received degrees in both Business Administration and Law from The University of Texas at Austin; and

WHEREAS, Bill Patman is a Marine Corps veteran of World War II; he later served as a diplomatic courier with the United States Foreign Service, traveling throughout the Far East and South America; he also served 13 years in the Air Force Reserve, leaving with the rank of Captain; and

WHEREAS, Senator Bill Patman has served the 18th District since his overwhelming victory in 1961 and consistently defeats his opposition dramatically; he ranks third in seniority and has served on most of the major committees in the Senate; currently, he chairs the Subcommittee on Agriculture and is vice-chairman of the Committee on Education; he is a member of the Committee on Natural Resources, the Committee on Human Resources, and the Subcommittee on Consumer Affairs; and

WHEREAS, He has represented his district and the people of Texas conscientiously and pursued with special interest legislation relating to agriculture, education, public health, and conservation; he has been selected by Region III, an area composed of 50 Texas counties and 39 Water Conservation Districts, as the "Business/Professional Man who has Rendered the Greatest Unselfish Service to Soil Conservation," and in 1975 received an award for excellence from the Society for Range Management for his methods of utilizing pasture grasses; and

WHEREAS, His warm and gracious wife, the former Carrin Mauritz, and their daughter, Carrin Foreman Patman, have shared in the building of his successful career in public service; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 66th Legislature, extend birthday greetings to the Senator from Ganado with hopes that his celebration be warm and memorable; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for Senator William N. (Bill) Patman as a token of the high regard he merits in the company of his peers and his constituents.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Truan and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE BILL 704 ON SECOND READING

On motion of Senator Jones of Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 704, Relating to the issuance of subpoenas by the Legislative Audit Committee.

The bill was read second time and was passed to engrossment.

SENATE BILL 704 ON THIRD READING

Senator Jones of Taylor moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 704** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent: Meier, Ogg, Truan.

Absent-excused: Braecklein.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

(President Pro Tempore Meier in Chair)

MOTION TO PLACE SENATE BILL 190 ON SECOND READING

Senator Mauzy asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 190, Prohibiting the use of state funds for the acquisition or construction of facilities at upper-level centers or upper-level extension centers operated by institutions of higher education; amending Section 55.11, Texas Education Code.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up **S.B. 190** for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members of the Senate present): Yeas 19, Nays 10.

Yeas: Andujar, Blake, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Mauzy, Meier, Mengden, Moore, Price, Santiesteban, Schwartz, Snelson, Vale.

Nays: Brooks, Howard, Longoria, McKnight, Parker, Patman, Short, Traeger, Truan, Williams.

Absent: Ogg.

Absent-excused: Braecklein.

SENATE BILL 249 ON SECOND READING

Senator Brooks moved to suspend the regular order of business to take up for consideration at this time:

S.B. 249, Authorizing honorably retired peace officers to carry handguns; relating to the termination of such authorization under certain conditions; amending Section 46.03, Penal Code, as amended.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Andujar, Blake, Brooks, Clower, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Creighton, Doggett, Farabee, Harris, Mauzy, Patman, Price.

Absent: Ogg.

Absent-excused: Braecklein.

The bill was read second time.

Senator Brooks offered the following committee amendment to the bill:

Amend Senate Bill No. 249 by amending quoted Section 46.03, Subsection (2) to read as follows:

“(2) on his own premises or premises under his control unless he is an employee or agent of the owner of the premises and his primary responsibility is to act in the capacity of a private security guard to protect persons or property, in which event he must comply with Subdivision (5) of this section;”

The committee amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Mauzy and Howard asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

MOTION TO PLACE SENATE BILL 249 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 249** be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members of the Senate present): Yeas 23, Nays 6.

Yeas: Andujar, Blake, Brooks, Creighton, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Clower, Doggett, Harris, Mauzy, Patman, Price.

Absent: Ogg.

Absent-excused: Braecklein.

SENATE BILL 640 ON SECOND READING

On motion of Senator Jones of Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 640, Relating to extension of the date policies may be issued under the Texas Medical Liability Insurance Underwriting Association Act.

The bill was read second time and was passed to engrossment.

SENATE BILL 640 ON THIRD READING

Senator Jones of Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 640** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Ogg.

Absent-excused: Braecklein.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

(President in Chair)

**COMMITTEE SUBSTITUTE SENATE BILL 512
ON SECOND READING**

Senator Vale asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 512, Amending The Certificate of Obligation Act of 1971, as amended (Article 2368a.1, Vernon's Texas Civil Statutes), by amending Subsection (e) of Section 2, relating to the definition of "county"; and declaring an emergency.

There was objection.

Senator Vale then moved to suspend the regular order of business and take up **C.S.S.B. 512** for consideration at this time.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Blake, Brooks, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Moore, Patman, Price, Santiesteban, Schwartz, Short, Traeger, Truan, Vale, Williams.

Nays: Andujar, Clower, Harris, Mauzy, Mengden, Parker, Snelson.

Absent: Ogg.

Absent-excused: Braecklein.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy and Mengden asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 13 ON SECOND READING**

Senator Price moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.J.R. 13, Proposing a constitutional amendment authorizing the legislature to provide for the guarantee of loans used to purchase farm and ranch real estate for qualified borrowers.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Andujar, Blake, Brooks, Clower, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Creighton, Harris, Mauzy, Mengden.

Absent-excused: Braecklein.

The resolution was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Creighton and Mengden asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 13 ON THIRD READING

Senator Price moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.J.R. 13** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Andujar, Blake, Brooks, Clower, Doggett, Farabee, Howard, Jones of Harris, Kothmann, Longoria, McKnight, Meier, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Creighton, Harris, Jones of Taylor, Mauzy, Mengden.

Absent-excused: Braecklein.

The resolution was read third time and was passed by the following vote: Yeas 23, Nays 7.

Yeas: Andujar, Blake, Clower, Doggett, Farabee, Howard, Jones of Harris, Kothmann, Longoria, Meier, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Brooks, Creighton, Harris, Jones of Taylor, Mauzy, McKnight, Mengden.

Absent-excused: Braecklein.

MOTION TO PLACE SENATE BILL 508 ON SECOND READING

Senator Jones of Taylor moved to suspend the regular order of business to take up for consideration at this time:

S.B. 508, Relating to the purchase of electricity for use in state buildings.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members of the Senate present): Yeas 18, Nays 11, Present-Not Voting 1.

Yeas: Andujar, Blake, Farabee, Harris, Howard, Jones of Taylor, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Short, Snelson, Traeger, Williams.

Nays: Brooks, Clower, Creighton, Doggett, Kothmann, Longoria, Mauzy, Patman, Schwartz, Truan, Vale.

Present-Not Voting: Jones of Harris

Absent-excused: Braecklein.

SENATE JOINT RESOLUTION 29 ON SECOND READING

Senator Parker moved to suspend the regular order of business to take up for consideration at this time:

S.J.R. 29, Proposing a constitutional amendment authorizing the issuance of general obligation bonds to provide housing assistance for certain families and individuals.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Brooks, Clower, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Meier, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Andujar, Blake, Creighton, Harris, McKnight, Mengden, Price.

Absent: Moore.

Absent-excused: Braecklein.

The resolution was read second time and was passed to engrossment by the following vote: Yeas 22, Nays 7. (Same as previous roll call)

MOTION TO PLACE SENATE JOINT RESOLUTION 29 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.J.R. 29** be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members of the Senate present): Yeas 23, Nays 6.

Yeas: Brooks, Clower, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Meier, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Andujar, Blake, Creighton, Harris, McKnight, Mengden.

Absent: Moore.

Absent-excused: Braecklein.

SENATE BILL 296 ON SECOND READING

Senator Parker moved to suspend the regular order of business to take up for consideration at this time:

S.B. 296, Relating to the establishment of a housing program for families and individuals of low income and families of moderate income.

The motion prevailed by the following vote: Yeas 23, Nays 6.

Yeas: Blake, Brooks, Clower, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Meier, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Andujar, Creighton, Harris, McKnight, Mengden, Price.

Absent: Moore.

Absent-excused: Braecklein.

The bill was read second time and was passed to engrossment by the following vote: Yeas 23, Nays 6. (Same as previous roll call)

SENATE BILL 502 ON THIRD READING

On motion of Senator Ogg and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

S.B. 502, Relating to the establishment of a licensing procedure for food, drug, device and cosmetic salvage brokers and establishments in the State of Texas; delegating rule making authority to the Texas Board of Health; providing a licensing procedure; establishing fees for licenses; establishing penalties for violations; and declaring an emergency.

The bill was read third time.

Senator Ogg offered the following amendment to the bill:

Amend **S.B. 502** by striking all wording in Section 9 of the bill on line 63, page 5, after the word "Act" and all wording on line 64 on page 5 in Section 9 and by inserting a "." after the word "Act" on line 63 on page 5 in Section 9.

The amendment was read and was adopted by unanimous consent.

On motion of Senator Ogg and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then finally passed by the following vote: Yeas 29, Nays 0.

Absent: Moore.

Absent-excused: Braecklein.

SENATE BILL 332 ON SECOND READING

On motion of Senator Mengden and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 332, Relating to the creation and administration of a juvenile awareness program providing information and education about criminal incarceration to delinquent children; adding Article 6166z11 to Title 108, Revised Civil Statutes of Texas, 1925, as amended, and Section 54.042 to Chapter 54, Family Code, as amended.

The bill was read second time.

Senator Traeger offered the following amendment to the bill:

Amend SB 332 by adding the following new Section 3, and renumbering the remaining sections accordingly.

SECTION 3. Unless reenacted, the provisions of this Act shall be without effect after August 31, 1983.

The amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 332 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 332** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Moore.

Absent-excused: Braecklein.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 717 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 717, Authorizing the Comptroller to accept federal monies for agencies upon compliance with state and federal laws; amending Article 4344, Revised Civil Statutes of Texas, 1925.

The bill was read second time.

Senator Snelson offered the following committee amendment to the bill:

Amend Senate Bill No 717 at line 9 of Section 1 by deleting the period following the word "statute" and adding the language "or by rider or special provision in the General Appropriation Act."

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 717 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 717** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Harris, Moore.

Absent-excused: Braecklein.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

MEMORIAL RESOLUTIONS

S.R. 330 - By Short: Memorial resolution for Preston Johnston.

S.R. 334 - By Snelson: Memorial resolution for F. M. "Roe" Miller.

S.R. 335 - By Snelson: Memorial resolution for Phillip M. "Phil" Adams.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 324 - By Kothmann: Extending congratulations to the Luther Burbank High School Football Team, San Antonio.

S.R. 325 - By Kothmann: Extending congratulations to the Randolph High School Football Team, San Antonio.

S.R. 326 - By Doggett: Extending welcome to Tracey Mackey.

S.R. 327 - By Doggett: Extending welcome to Audrey Byrd.

S.R. 328 - By Doggett: Extending welcome to Joseph Garza.

S.R. 329 - By Doggett: Extending welcome to Dawn Mullican.

S.R. 331 - By Doggett: Extending welcome to Reverend E. L. Roberts.

S.R. 333 - By Snelson: Extending congratulations to the scientists at McDonald Observatory.

S.R. 336 - By Clower: Extending welcome to students from Robert T. Hill Middle School, Dallas.

S.R. 337 - By Traeger: Extending congratulations to Mr. and Mrs. John T. Hospers.

ADJOURNMENT

On motion of Senator Moore the Senate at 12:14 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.